

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

JUDITH A. SMITH,

Plaintiff,

v.

MICHAEL J. ASTRUE,
Commissioner of Social
Security,

Defendant.

No. CV-05-0225-CI

ORDER GRANTING STIPULATED
MOTION TO REMAND PURSUANT TO
SENTENCE FOUR OF 42 U.S.C.
405(g)

BEFORE THE COURT is the parties' stipulated Motion to remand of the above-captioned matter to the Commissioner for additional administrative proceedings. (Ct. Rec. 23.) The parties have consented to proceed before a magistrate judge. (Ct. Rec. 6.) After considering the stipulation of the parties,

IT IS ORDERED that the above-captioned case be **REVERSED** and **REMANDED** to the Commissioner of Social Security for further administrative proceedings pursuant to sentence four of 42 U.S.C. § 405(g). On remand, the administrative law judge (ALJ) will update the record regarding Plaintiff's physical and mental impairments, and if necessary, obtain a consultative psychiatric examination. The ALJ will evaluate Plaintiff's mental impairment in accordance

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1 with 20 C.F.R. §§ 404.1520a and 416.920a; reevaluate the medical
2 source opinions in accordance with Social Security Rulings 96-2p,
3 96-5p and 96-6p and explain the weight given to each, providing
4 specific and legitimate reasons for any medical opinion that is
5 rejected. The ALJ will reassess Plaintiff's residual functional
6 capacity and reevaluate Plaintiff's ability to perform work-related
7 activities at steps four and five of the sequential evaluation
8 process. The ALJ will take any other actions necessary to develop
9 the record and issue a new decision.

10 **IT IS FURTHER ORDERED:**

11 1. The parties' stipulated Motion for Remand **(Ct. Rec. 23)** is
12 **GRANTED.**

13 2. Judgment shall be entered for the **PLAINTIFF.**

14 3. An application for attorney fees may be filed by separate
15 motion.

16 The District Court Executive is directed to enter this Order,
17 forward copies to counsel, and thereafter shall close this file.

18 DATED September 4, 2007.

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20 S/ CYNTHIA IMBROGNO
21 UNITED STATES MAGISTRATE JUDGE
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